

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** FINANCIAL SERVICES

**AGENDA DATE:** February 8, 2005

**CONTACT PERSON/PHONE:** GONZALO CEDILLOS, CAPITAL ASSETS MGR., X4074

**DISTRICT(S) AFFECTED:**

**SUBJECT:**

AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND WESTERN REFINING COMPANY, L. P. FOR PROPERTY LEGALLY DESCRIBED AS COLLINGSWORTH SURVEY 14, TRACKS 1-A, 1-C, AND 1-E AND PORTION OF TRACKS 1-B AND 1-G, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON, ALSO KNOWN AS THE CLARK FACILITY.

**BACKGROUND / DISCUSSION:**

THE CITY OF EL PASO STAFF RECOMMENDED GETTING BIDS FOR PROPERTY DESCRIBED AS COLLINGSWORTH SURVEY 14, TRACKS 1-A, 1-C, AND 1-E AND PORTION OF TRACKS 1-B AND 1-G, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON, ALSO KNOWN AS THE CLARK FACILITY, IS NOT AN EFFECTIVE CAPITAL ASSET FOR THE CITY OF EL PASO. ON JUNE 30, 2004, THE CITY'S DEVELOPMENT COORDINATING COMMITTEE BY VOTE DECIDED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE SALE OF THE CITY-OWNED PROPERTY.

**PRIOR COUNCIL ACTION:**

COUNCIL APPROVED PURCHASE OF PROPERTY.  
COUNCIL APPROVAL TO GET APPRAISAL AND TO SOLICIT BIDS FOR THE SALE OF THIS CITY-OWNED PROPERTY ON JULY 7, 2004.

**AMOUNT AND SOURCE OF FUNDING:**

\$2,000,000.00 PROCEEDS TO THE CITY OF EL PASO.


**BOARD / COMMISSION ACTION:**

N/A \_\_\_\_\_

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

(Example:  if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND WESTERN REFINING COMPANY, L.P. FOR PROPERTY LEGALLY DESCRIBED AS COLLINGSWORTH SURVEY 14, TRACT 1-A, 1-C, AND 1-E AND A PORTION OF TRACT 1-B AND 1-G, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON, ALSO KNOWN AS THE CLARK FACILITY.**

**WHEREAS**, the City of El Paso staff recommended property described as Collingsworth Survey 14, Tract 1-A, 1-C and 1-E, and a portion of Tract 1-B and 1-G, El Paso, El Paso County, Texas, including the improvements thereon, also known as the Clark Facility, is not an effective capital asset for the City of El Paso, and,

**WHEREAS**, by Resolution dated July 7, 2004, the City Council authorized the City's Purchasing Department to advertise to sell to the Clark Facility; and

**WHEREAS**, after obtaining an independent appraisal to establish market value, the Purchasing Department advertised the property and received a bidder's proposal for the purchase of the property; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor is hereby authorized to sign, on behalf of the City, a Contract of Sale and any other necessary documents, in a form approved by the City Attorney's Office, conveying to Western Refining Company, L.P., Collingsworth Survey 14, Tract 1-A, 1-B, 1-C and 1-E, and a portion of Tract 1-B and 1-G, El Paso, El Paso County, Texas including the improvements thereon, also known as the Clark Facility, and

That the revenue from the sale of the Clark facility will be allocated as follows: One Million and no/100 Dollars (\$1,000,000.00) will be allocated to debt service and One Million and no/100 Dollars (\$1,000,000.00) will be allocated to the new History Museum at Cleveland Square project; and

That the City Manager and staff are authorized to execute budget transfers as necessary for the revenue and funds allocation.

**PASSED AND APPROVED** this \_\_\_\_\_ day of February, 2005.

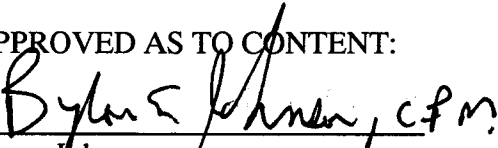
THE CITY OF EL PASO

\_\_\_\_\_  
MAYOR

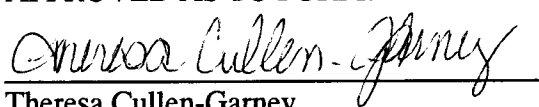
ATTEST:

\_\_\_\_\_  
Richarda Momsen  
Municipal Clerk

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Byron Johnson,  
Director of Purchasing

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Theresa Cullen-Garney  
Deputy City Attorney

## RESOLUTION

**A RESOLUTION AUTHORIZING THE PURCHASING DEPARTMENT TO ADVERTISE TO THE PUBLIC FOR SALE PROPERTY LEGALLY DESCRIBED AS COLLINGSWORTH SURVEY 14, TRACKS 1-A, 1-C, AND 1-E, AND A PORTION OF TRACTS 1-B AND 1-G, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON, ALSO KNOWN AS THE CLARK FACILITY AND AUTHORIZING THE PURCHASING DEPARTMENT TO OBTAIN AN INDEPENDENT APPRAISAL AS REQUIRED BY STATE LAW TO ESTABLISH THE VALUE.**

**WHEREAS**, Gonzalo Cedillos, P.E., Capital Assets Manager for the City of El Paso, assessed the Clark Facility and determined that it is not an effective capital asset for the City of El Paso and recommended the release of the property described as Collingsworth Survey 14, Tracks 1-A, 1-C and 1-E, and portion of Tracts 1-B and 1-G, El Paso, El Paso County, Texas including the improvements thereon, also known as the Clark Facility; and,

**WHEREAS**, on June 30, 2004, the City's Development Coordinating Committee by vote decided to recommend to the City Council approval of the sale of this City-owned property; and,

**WHEREAS**, State statutes require that before property owned by a municipality is sold, notice to the general public of the offer of the property for sale must be published, and sealed bids to purchase the property may be submitted to the municipality; and,

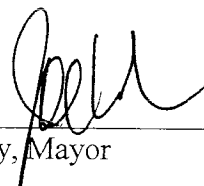
**WHEREAS**, the City Council finds that it is in the interest of the citizens and serves a public purpose to sell the property; **NOW THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The City's Purchasing Department is hereby authorized, upon recommendation of the City's Capital Assets Manager and the City's Development Coordinating Committee, to advertise to the public for sale property legally described as Collingsworth Survey 14, Tracks 1-A, 1-C and 1-E, and portion of 1-B and 1G, El Paso, El Paso County, Texas including the improvements thereon, also known as the Clark Facility. The Purchasing Department is authorized to obtain an independent appraisal to establish value.

**PASSED AND APPROVED** this 7<sup>th</sup> day of July, 2004.

**THE CITY OF EL PASO:**



Joe Wardy, Mayor

**ATTEST:**



Richarda Duffy Momsen  
City Clerk

*(Signatures continue on following page)*

APPROVED AS TO FORM:



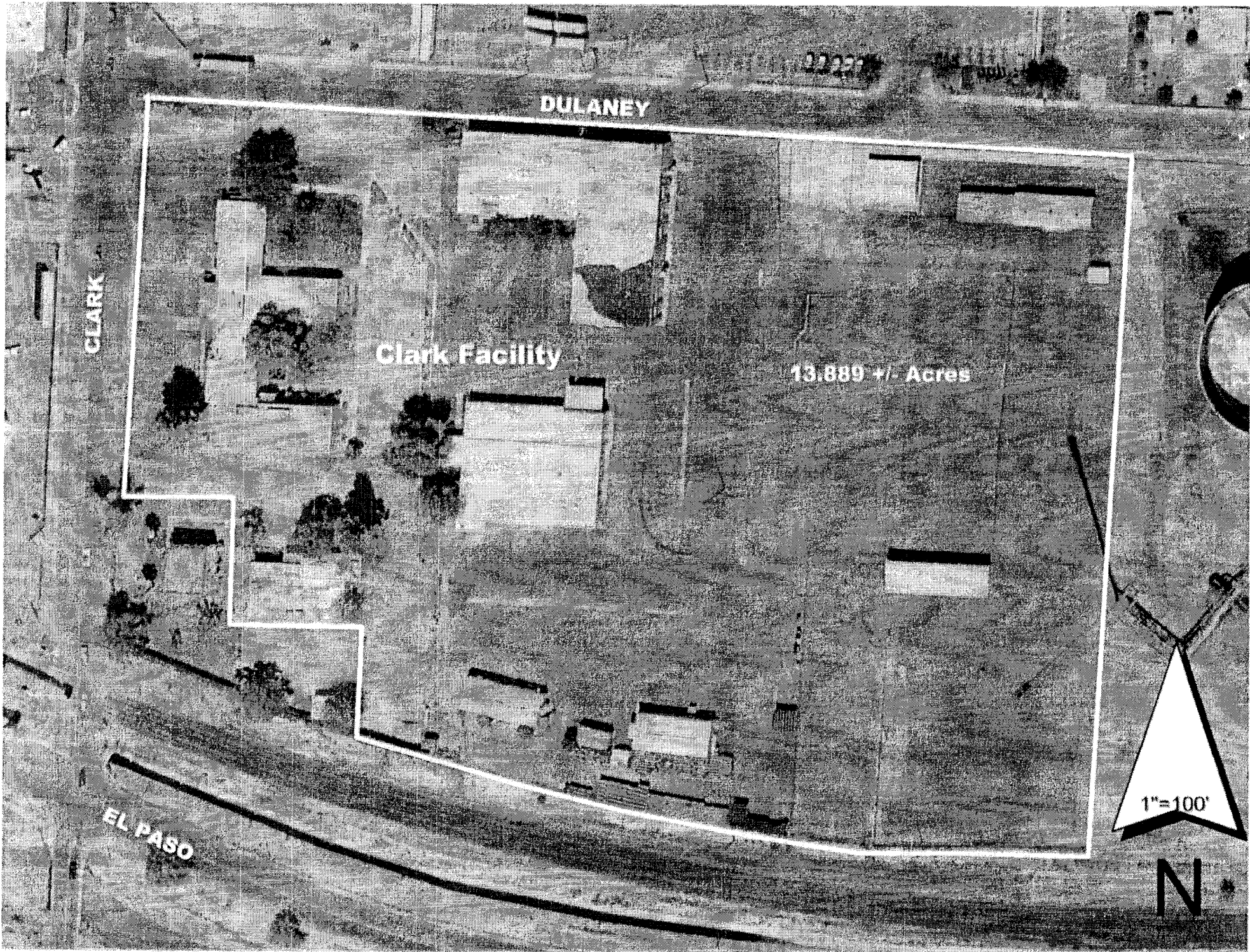
Kevin D. Elkins  
Assistant City Attorney

APPROVED AS TO CONTENT:



Gonzalo Cedillos, P.E.  
Capital Assets Manager

CITY CLERK DEPT.  
05 JAN 28 AM 9:57



CLARK

DULANEY

Clark Facility

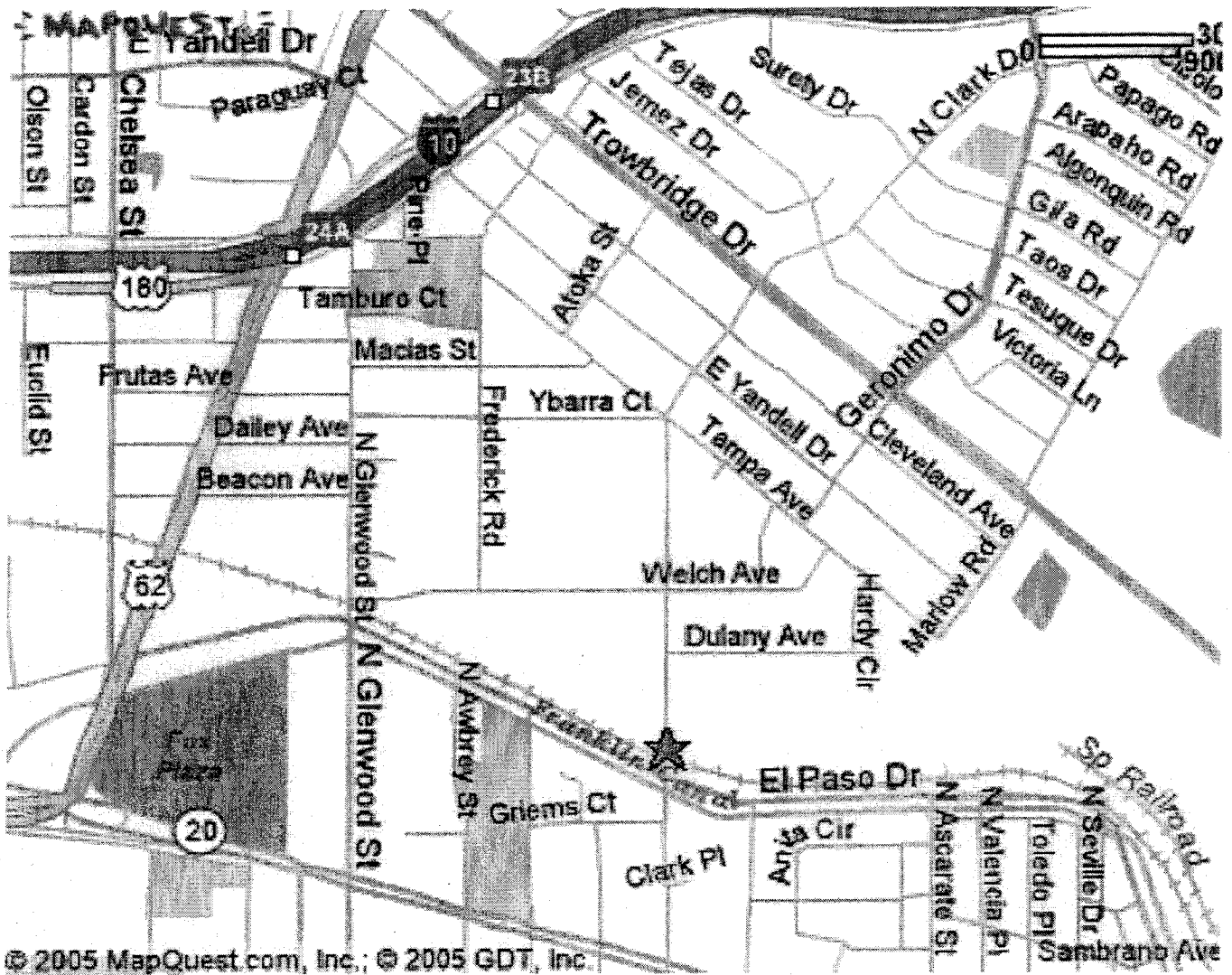
13.889 +/- Acres

EL PASO

1"=100'

N





20050320 11:23:23

CUA CREW CELL

## CITY OF EL PASO BID TABULATION

<b>BID ITEM: SALE OF PROPERTY: 212 NORTH CLARK DRIVE</b>			<b>BID #: 2005-095</b>	
<b>BID DATE: JANUARY 19, 2005</b>			<b>DEPARTMENT: PURCHASING</b>	
	<b>ABDOLKARIM SAADATKHAH EL PASO, TX</b>	<b>JONES FAMILY TRUST EL PASO, TX</b>	<b>WESTERN REFINING COMPANY, L.P. EL PASO, TX</b>	
<b>DESCRIPTION</b>	<b>TOTAL AMOUNT OF OFFER</b>	<b>TOTAL AMOUNT OF OFFER</b>	<b>TOTAL AMOUNT OF OFFER</b>	<b>TOTAL AMOUNT OF OFFER</b>
<b>212 NORTH CLARK DRIVE EL PASO COUNTY, EL PASO, TEXAS</b>	<b>\$1,328,600.00</b>	<b>\$1,300,000.00</b>	<b>\$2,000,000.00</b>	
<b>BID SECURITY</b>	<b>CHECK</b>	<b>CHECK</b>	<b>CHECK</b>	
<b>BIDS SOLICITED: 77      BIDS RECEIVED: 3      BIDS LOCAL: 74      NO BID: 0</b>				

APPROVED BY: \_\_\_\_\_

DATE: 1-20-2005 2005-095 SALE OF PROPERTY: 212 NORTH CLARK DRIVE - PURCHASING DEPARTMENT